

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ JUL 28 2005 ★

P.M. _____
TIME A.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PETER BOGDAN and SILVANA BOGDAN,

Plaintiffs,

JUDGMENT
01-CV- 1910 (SJ)

-against-

STOLT-NIELSEL S.A., STOLT-NIELSEN
TRANSPORATION GROUP LTD.,
STOLT-NIELSEN, INC., STOLT PARCEL
TANKERS, INC., STOLT PRIDE, INC., STOLT
INTEGRITY, INC., STOLT CONFIDENCE OF
THE ISLE OF MAN, MITSUBISHIRAYON CO., LTD.,
AMOCO CHEMICAL COMPANY, DAICEL
CHEMICAL INDUSTRIES LTD., BASF
AKTIENGESELLSCHAFT, ARCO CHEMICAL
COMPANY, B.P. CHEMICALS LTD., DOES 1-10,
ABC CORPORATION, 1-20, THE LUBRIZOL
CORPORATION, UNION CARBRIDE
CORPORATION, BASF CORPORATION,
OCCIDENTAL CHEMICAL CORP., CHEVRON
USA INC., DOW BRAZIL, S.A., DOW
INTERNATIONAL, B.V. LYONDELL CHEMICAL
COMPANY, BP AMOCO CHEMICAL COMPANY,
BP CHEMICALS LTD.,

Defendants.

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MILJENKO TADIC,

Plaintiff,

01-CV- 6814 (SJ)

-against-

STOLT-NIELSEN S.A., STOLT-NIELSEN, INC.,

JUDGMENT
01-CV- 1910 (SJ)

STOLT-PARCEL TANKER, INC.,
STOLT-NIELSEN TRANSPORTATION GROUP
LTD., STOLT PRIDE, INC., STOLT ACCORD,
INC., STOLT EXCELLANCE, INC., STOLT
SINCERITY, INC., STOLT HERON, INC.,
STOLT OSPREY, INC., STOLT INTEGRITY, INC.,
ABC CORPORATION, *1-50, intended to be those
chemical manufacturers who shipped chemicals
aboard the Stolt ships upon which plaintiff worked
and which caused him to become ill*, UNION
CARBIDE CORPORATION, OCCIDENTAL
CHEMICAL CORP., CHEVRON USA INC.,
LYONDELL CHEMICAL COMPANY, BASF
AKTIENGESELLSCHAFT, BP AMOCO
CHEMICAL COMPANY, BP CHEMICALS LTD.,

Defendants.

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An Order of Honorable Sterling Johnson Jr., United States District Judge, having been filed on February 23, 2005, granting the motions to dismiss for lack of personal jurisdiction under Rule 12(b)(2) of the Federal Rules of Civil Procedure as to defendants: BASF Aktiengesellschaft; BP Chemicals Ltd.; Daicel Chemical Industries Ltd.; Dow Europe GmbH (successor in interest to Dow Europe S.A.); Dow International, B.V. (erroneously sued as "Dow Chemical International" in Bogdan v. Stolt Nielsen et al. No. 01-CV- 1910); Dow Brazil, S.A.; and Mitsubishi Chemical Corporation; granting the motion to dismiss for insufficiency of Service of Process under Rule 12(b)(5) of the Federal Rules of Civil Procedure by defendant Celanese Ltd.; denying plaintiff's motion to substitute Dow Chemical for Dow Chemical International; reserving decision on the motions to dismiss for failure to state a claim upon which relief may be granted under Rule 12(b)(6) of the Federal

JUDGMENT
01-CV- 1910 (SJ)

Civil Procedure by Exxon Mobil Corporation, BASF Corporation, The Lubrizol Corporation, and Pasternak Baum & Co., Inc.; and directing the Clerk of Court to enter a final judgment of dismissal with respect to defendants BASF Aktiengesellschaft; BP Chemicals Ltd.; Daicel Chemical Industries Ltd.; Dow Europe GmbH; Dow International, B.V.; Dow Brazil S.A.; Mitsubishi Chemical Corporation; and Celanese Ltd.; it is

ORDERED and ADJUDGED that the motions to dismiss for lack of personal jurisdiction under Rule 12(b)(2) of the Federal Rules of Civil Procedure as to defendants: BASF Aktiengesellschaft; BP Chemicals Ltd.; Daicel Chemical Industries Ltd.; Dow Europe GmbH (successor in interest to Dow Europe S.A.); Dow International, B.V. (erroneously sued as "Dow Chemical International" in Bogdan v. Stolt Nielsen et al. No. 01-CV- 1910); Dow Brazil, S.A.; and Mitsubishi Chemical Corporation; that the motion to dismiss for Insufficiency of Service of Process under Rule 12(b)(5) of the Federal Rules of Civil Procedure by defendant Celanese Ltd. is granted; that plaintiff's motion to substitute Dow Chemical for Dow Chemical International is denied; that the Court reserved decision on the motions to dismiss for failure to state a claim upon which relief may be granted under Rule 12(b)(6) of the Federal Rules of Civil Procedure by Exxon Mobil Corporation, BASF Corporation, The Lubrizol Corporation, and Pasternak Baum & Co., Inc.; and that a final judgment of dismissal is hereby entered with respect to defendants BASF Aktiengesellschaft; BP Chemicals Ltd.; Daicel Chemical Industries Ltd.; Dow Europe GmbH; Dow International, B.V.; Dow Brazil S.A.; Mitsubishi Chemical Corporation; and Celanese Ltd.

Dated: Brooklyn, New York
July 27, 2005

ROBERT C. HEINEMANN
Clerk of Court